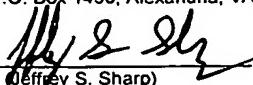




IFW

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Dated: September 3, 2004 Signature:

  
Jeffrey S. Sharp

Docket No.: 13024/38629A  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

**John McMichael**

Application No.: 10/764,161

Confirmation No.: 8158

Filed: January 23, 2004

Art Unit: 1654

For: **METHOD OF TREATMENT OF  
CONDITIONS BY ADMINISTRATION  
OF STREPTOLYSIN O**

Examiner: Not Yet Assigned

### **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.97, Applicants hereby makes of record the following additional documents. A PTO Form SB/08 and a full copy of each of these documents accompany this statement.

Applicant has become aware of the following documents, cited in an International Search Report issued August 26, 2004, during the prosecution of International Application No. PCT/US04/01887, which corresponds to the above referenced application, and in accordance with 37 CFR 1.97(c) and (e)(1) or (b)(3), hereby submit(s) these documents for the Examiner's consideration. These documents are cited on the enclosed PTO Form SB/08, and a copy of the International Search Report and each document cited thereon are enclosed as well.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation

that such document is prior art. Moreover, Applicant understands the Examiner will make an independent evaluation of the cited documents.

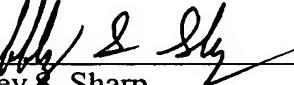
The undersigned hereby certifies that each item contained in this Supplemental Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Furthermore, in accordance with 37 CFR 1.704(d), Applicant(s) note(s) that to our knowledge this communication was not received by any individual designated in 1.56(c) more than thirty days prior to the filing of this statement.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 13024/38629A. A duplicate copy of this paper is enclosed.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606  
312-474-6300

By:

  
\_\_\_\_\_  
Jeffrey S. Sharp  
Registration No. 31,879  
Attorney for Applicant

September 3, 2004

770200



PTO/SB/21 (04-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|  |  |                        |                        |
|--|--|------------------------|------------------------|
|  |  | Application Number     | 10/764,161-Conf. #8158 |
|  |  | Filing Date            | January 23, 2004       |
|  |  | First Named Inventor   | John McMichael         |
|  |  | Art Unit               | 1654                   |
|  |  | Examiner Name          | Not Yet Assigned       |
| Total Number of Pages in This Submission |  | Attorney Docket Number |                        |
|  |  | 13024/38629A           |                        |

### ENCLOSURES (Check all that apply)

|  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance communication to Technology Center (TC)        |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input type="checkbox"/> Amendment/Reply                                     | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Terminal Disclaimer  | <input type="checkbox"/> Other Enclosure(s) (please identify below):                    |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Request for Refund   |   |
| <input checked="" type="checkbox"/> Information Disclosure Statement         | <input type="checkbox"/> CD, Number of CD(s) _____                                      |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              |   |   |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   |   |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |
| Remarks  |   |   |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |   |
|-------------------------|---|
| Firm or Individual name | MARSHALL, GERSTEIN & BORUN LLP<br>Jeffrey S. Sharp - 31,879 |
| Signature               |   |
| Date                    | September 3, 2004   |

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Substitute for form 1449A/B/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

|       |   |    |   |                          |                        |
|-------|---|----|---|--------------------------|------------------------|
|       |   |    |   | <b>Complete if Known</b> |                        |
|       |   |    |   | Application Number       | 10/764,161-Conf. #8158 |
|       |   |    |   | Filing Date              | January 23, 2004       |
|       |   |    |   | First Named Inventor     | John McMichael         |
|       |   |    |   | Art Unit                 | 1654                   |
|       |   |    |   | Examiner Name            | Not Yet Assigned       |
| Sheet | 1 | of | 1 | Attorney Docket Number   | 13024/38629A           |

### U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages or Relevant<br>Figures Appear |
|--------------------|-----------------------|--|--------------------------------|--|---|
|                    |                       | Number-Kind Code <sup>2</sup> (if known) |                                |  |   |
| A                  | US-6,096,721          |  | 08-01-2000                     | McMichael  |   |
| B                  | US-6,303,127          |  | 10-16-2001                     | McMichael et al.                                   |   |
| C                  | US-6,447,820          |  | 09-10-2002                     | Niazi  |   |

### FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|--------------------|-----------------------|---|--------------------------------|--|---|----------------|
|                    |                       | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) |                                |  |   |                |
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

### NON PATENT LITERATURE DOCUMENTS

|                    |                       |   |                |
|--------------------|-----------------------|---|----------------|
| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
| D                  |                       | International Search Report corresponding to International Patent Application Serial No. PCT/US04/01887 dated August 26, 2004, 2 pages.   |                |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Application No. (if known): 10/764,161

Attorney Docket No.: 13024/38629A

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